

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT T. BROWN,  
#742378,

Plaintiff,

Civil Action No. 19-CV-11325

vs.

HON. BERNARD A. FRIEDMAN

MICHAEL SNYDER,

Defendant.  
\_\_\_\_\_ /

**OPINION AND ORDER ACCEPTING THE MAGISTRATE JUDGE’S REPORT AND  
RECOMMENDATION, GRANTING DEFENDANT’S MOTION FOR SUMMARY  
JUDGMENT, AND DISMISSING PLAINTIFF’S PENDING MOTIONS AS MOOT**

This matter is presently before the Court on defendant’s motion for summary judgment. (ECF No. 49). Magistrate Judge Curtis Ivy, Jr. has submitted a Report and Recommendation (“R&R”) in which he recommends that this motion be granted and that plaintiff’s remaining motions be terminated as moot. (ECF No. 68). Plaintiff has filed a “response” to the R&R, in which he states that he has not been able to access relevant evidence because he is presently serving a parole violation and his “legal materials” are at his house. (ECF No. 71, PageID.483-85). Plaintiff contends that the Court should therefore reject defendant’s motion. (*Id.*, PageID.485).

Pursuant to Fed. R. Civ. P. 72(b)(2), a party may file “specific written objections to the proposed findings and recommendations” of a magistrate judge. Such an objection “must: (A) specify the part of the order, proposed findings, recommendations, or report to which a person objects; and (B) state the basis for the objection.” E.D. Mich. LR 72.1(d)(1). As Magistrate Judge Ivy explained in his R&R: “Any objections must be labeled as ‘Objection No. 1,’ ‘Objection No. 2,’ etc. Any objection must recite precisely the provision of this Report and Recommendation to

which it pertains.” (ECF No. 68, PageID.475).

A district court reviews *de novo* the portions of a R&R to which proper objections have been filed. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). “Only those objections that are specific are entitled to a *de novo* review.” *Lee v. Money Gram Corp. Off.*, No. 15-CV-13474, 2017 WL 4161108, at \*1 (E.D. Mich. Sept. 20, 2017). “However, the district court need not provide *de novo* review where the objections are [f]rivolous, conclusive or general. The parties have the duty to pinpoint those portions of the magistrate’s report that the district court must specially consider.” *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (internal quotation marks and citations omitted). “[A] general objection to the entirety of a magistrate’s report, without specifying a single issue of contention,” is not a proper objection. *Howard v. Sec. of Health and Hum. Servs.*, 932 F.2d 505, 509 (6th Cir. 1991).

Here, plaintiff’s response merely raises general arguments about his access to legal resources and objects to the entirety of the R&R. It does not specify any part of the order, proposed findings, recommendations, or report to which plaintiff objects, nor does it state a legal basis for his objections. Plaintiff’s response therefore does not constitute a proper objection as defined by the Federal Rules of Civil Procedure, this Court’s local rules, or relevant precedent. The Court need not review *de novo* any part of the magistrate judge’s disposition.

Having reviewed the second amended complaint, motion for summary judgment, and plaintiff’s pending motions, the Court agrees with the magistrate judge’s analysis and recommendation. Accordingly,

IT IS ORDERED that Magistrate Judge Ivy’s R&R (ECF No. 68) is hereby accepted

and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that defendant's motion for summary judgment (ECF No. 49) is granted.

IT IS FURTHER ORDERED that all pending motions (ECF Nos. 61, 63, 66, 69, 70) are dismissed as moot.

Dated: July 5, 2022 Detroit, Michigan	<u>s/Bernard A. Friedman</u> BERNARD A. FRIEDMAN SENIOR UNITED STATES DISTRICT JUDGE
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**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 5, 2022.

Robert T. Brown #742378  
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MANISTEE, MI 49660

s/Johnetta M. Curry-Williams  
Case Manager